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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,690	02/18/2004	Tsuyoshi Kuroki	00862.023465.	8951
5514 7590 07/17/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER PONIKIEWSKI, TOMASZ	
			ART UNIT 2165	PAPER NUMBER
			MAIL DATE 07/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/779,690	Applicant(s) KUROKI, TSUYOSHI	
	Examiner Tomasz Ponikiewski	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6-7-2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,8,10,11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8,10,11 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6-7-2007 has been entered.
2. The amendment filed on 6-7-2007 has been received and entered. Claims 1-2, 4-6, 8, 10-11 and 13 are pending.
3. Applicant's Amendment has overcome the previous rejections under 112.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 4-6, 8, 10-11 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Stanley et al. (US 2002/0156756 A1).

As per claims 1, 8 and 10 Stanley et al. is directed to an information processing method, a computer-readable storage medium in an information processing apparatus, an information processing apparatus and a management information processing apparatus which generates an object in a three-dimensional virtual space and is connected to another information processing apparatus through a network to share the three-dimensional virtual space, the method comprising:

an acquisition step of acquiring unique information from said another the other information processing apparatus, wherein the unique information uniquely identifies the information processing apparatus on the network (paragraph 0037, lines 5-10);

an object generation step of generating an object in the three-dimensional virtual space (paragraph 0037, lines 5-10);

an identification information generation step of generating identification information of art the object generated in said object generation step based on the unique information, of the information processing apparatus (paragraph 0037); and

a transmitting step of transmitting the identification information with object information necessary for causing said another information processing apparatus to generate the object in the three-dimensional virtual space presented by said another information processing apparatus, to said another information processing

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apparatus through the network (paragraph 0037, lines 5-10; "for causing" presents an intended use).

As per claim 2 Stanley et al. is directed to wherein said another information processing apparatus, from which the unique information is acquired, is a management information processing apparatus which manages the unique information of all information processing apparatuses that share the three-dimensional virtual space (paragraph 0087, lines 1-5; paragraph 0110, lines 1-7).

As per claim 4 Stanley et al. is directed to further comprising:
a reception step of receiving the unique information with the object information relating to the object processed by the another information processing apparatus (paragraph 0114), and

an object processing step of executing a process, based on the object information received in the reception step, to the object corresponding to the unique information in the three-dimensional virtual space presented by the information processing apparatus (paragraph 0115).

As per claim 5 Stanley et al. is directed to an information processing method in a management information processing apparatus, the management information apparatus managing information processing apparatuses which share a three-dimensional virtual space, the method comprising:

a unique information determining step of determining unique information for each of the information processing apparatuses, wherein the unique information is different from each other (paragraph 0037, lines 5-10; paragraph 0084, lines 5-9);

a sending step of sending the unique information determined in the determining step for each of the information processing apparatus to the corresponding one of the information processing apparatuses (paragraph 0086); and

a receiving step of receiving object information relating to an object processed in the three-dimensional virtual space presented by one of the information processing apparatuses, with identification information including the sent unique information that has been sent in the sending step, by the information processing apparatus from which the object information is sent (paragraph 0110, lines 1-8).

As per claim 6 Stanley et al is directed to further comprising an object processing step of executing a process, based on the object information received by the receiving step, to the object corresponding to the unique information included in the received object information (paragraph 0114, lines 7-14).

As per claim 11 Stanley et al. is directed to a management information processing apparatus which share a three-dimensional virtual space, the management information processing apparatus comprising:

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a unique information determination unit that determines unique information for each of the information processing apparatuses, wherein the unique information is different from each other (paragraph 0037, lines 5-10; paragraph 0084, lines 5-9);

a sending unit that sends each of the unique information determined by the determination unit for each of the information processing apparatus to the corresponding one of the information processing apparatuses (paragraph 0086); and

a receiving unit that receives information relating to an object processed in the three-dimensional virtual space presented by one of the information processing apparatuses, with identification information including the unique information that has been sent in the sending step, by the information processing apparatus from which the object information is sent (paragraph 0110, lines 1-8).

As per claim 13 Stanley et al. is directed to an information processing system comprising:

a plurality of information processing apparatuses connected through a network to share a three-dimensional virtual space, each of the information processing apparatuses comprising (paragraph 0036, lines 11-12):

an acquisition unit that acquires unique information from a management information processing apparatus connected through the network, wherein the unique information uniquely identifies the information processing apparatuses on the network (paragraph 0037, lines 5-10);

an object generation unit that generates an object in the three-dimensional virtual space (paragraph 0037, lines 5-10);

an identification information generation unit that generates identification information of the object generated by said object generation unit based on the unique information processing apparatus (paragraph 0037, lines 5-10); and

a transmitting unit that transmits the identification information with object information necessary for causing another information processing apparatus to generate the object in the three-dimensional virtual space presented by said another information processing apparatus, to said management information processing apparatus through the network (paragraph 0037, lines 5-10; "for causing" presents an intended use); and

the management information processing apparatus managing the plurality of information processing apparatuses, the management information processing apparatus comprising (paragraph 0113, lines 4-5);

a unique information determination unit that determines unique information for each of the plurality of information processing apparatuses (paragraph 0037, lines 5-10; paragraph 0084, lines 5-9);

a sending unit that sends each of the unique information determined by the determination unit for each of the information processing apparatus to the corresponding one of the information processing apparatuses (paragraph 0086); and

a receiving unit that receives the object information relating to the object processed in the three-dimensional virtual space presented by each of the plurality of

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information processing apparatuses, with the identification information (paragraph 0110, lines 1-8).

Response to Arguments

6. Applicant's arguments with respect to claim 1-2, 4-6, 8, 10-11 and 13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Iwamoto et al. (US 2003/0110156 A1) teaches information collecting.

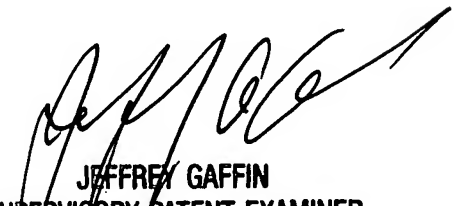
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571)272-1721. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571)272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski
July 12, 2007



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